



# City Council Agenda

Council President  
**Henry Perea**

Councilmembers

**Tom Boyajian**  
**Brian Calhoun**  
**Brad Castillo**

**Jerry Duncan**  
**Sal Quintero**  
**Daniel Ronquillo**, Acting President

Interim City Manager  
**Andrew T. Souza**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

## **NOTICE OF SPECIAL MEETING OF THE CITY OF FRESNO CITY COUNCIL**

**Date:** Monday, January 8, 2001

**Time:** 12:00 P.M. or as soon thereafter as the matter can be heard

**Location:** Council Chambers, City Hall, 2600 Fresno Street, Fresno, California

Please Take Notice that the Council President of the City of Fresno hereby calls a special Closed Session meeting of the City Council on MONDAY, JANUARY 8, 2001, at 12:00 P.M, or as soon thereafter as the matter may be heard, in the Council Chambers, City Hall, 2600 Fresno Street, Fresno, California, whereupon they will immediately convene in Room 2125S.

The purpose of the meeting is to meet and consider the following:

**CONFERENCE WITH LEGAL COUNCIL - DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.0, Sub. (c) - (Council President Perea)**

**CASE NAME: City v. City of Clovis, LAFCO, and County of Fresno**

**Dated this 5th day of January, 2001, at Fresno, California.**

**TUESDAY, JANUARY 9, 2001**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.**

**8:30 A.M.**

**JOINT HEARING WITH THE FRESNO JOINT POWERS FINANCING AUTHORITY**

Appointment of Boardmembers to the Fresno Joint Powers Financing Authority

- A. Election of Chairperson
- B. Election of Vice-Chairperson

**Action Taken:**

Approve Joint Powers Financing Authority minutes of December 19, 2000

**Action Taken:**

- A. **CONTINUED HEARING** - Consider that the Agency, City and Joint Powers Financing Authority approve, respectively, certain documents, substantially in the form attached, relative to the Tax Allocation Bond Series 2001:

**Action Taken:**

- 1. **RESOLUTION** - Approving the issuance by the Fresno Joint Powers Financing Authority of not to exceed \$10,000,000 original aggregate principal amount of Tax Allocation Bonds, Series 2001; authorizing execution and delivery of a Loan Agreement; approving the form of Official Statement; and authorizing execution of documents and the taking of all necessary actions relating to the financing with the Fresno Joint Powers Financing Authority (*Agency action*);

**Action Taken:**

- 2. **RESOLUTION** - Authorizing the issuance and sale of tax allocation bonds; authorizing the procurement of bond insurance; approving the forms of a Trust Agreement, Loan Agreement, Bond Purchase Contract and an Official Statement; authorizing the execution and delivery thereof; and authorizing the taking of all necessary actions relating to the issuance of the bonds (*Authority action*);

**Action Taken:**

**ADJOURN**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**8:40 A.M.**

**JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of December 19, 2000

**Action Taken:**

**AGENCY GENERAL ADMINISTRATION**

- A. Approve, as a policy concept, the Consultant's (RTKL) Final Draft recommendations regarding a Master Plan and Guidelines for the Uptown Arts District within the Fulton Redevelopment Project Area, and (2) direct staff regarding use of the concept and guidelines, including following all necessary legal requirements (notices, hearings, findings, procedures, CEQA compliance)

**Action Taken:**

**ADJOURN**

**9:00 A.M. COUNCIL ROLL CALL**

Invocation by Pastor Ara Guekguezian of the Pilgrim Armenian Church

Pledge of Allegiance to the Flag

Proclamation of "HANNAH BENSON DAY" - Councilmember Boyajian

**COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

Approve minutes of December 11, 18, 19, 20, 2000 and January 2, 2001

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**9:45 A.M.** Appearance by Jose Luis Barraza to discuss and request the Mayor and Council appoint Citizens for Community Information to fill vacancies on Boards and Commissions

**Action Taken:**

**9:50 A.M.** Appearance by Barbara Hunt to discuss the Brown Act

**Action Taken:**

**10:00 A.M.** **HEARING** regarding City of Fresno Community Facilities District No. 2, Annexation No. 26 (Tract Nos. 4918 and 4960)

**Action Taken:**

a. **RESOLUTION** - Annexing territory to Community Facilities District No. 2 and authorizing the levy of a special tax

**Action Taken:**

b. **RESOLUTION** - Calling special mailed-ballot election

**Action Taken:**

c. **RESOLUTION** - Declaring election results

**Action Taken:**

d. \* **BILL** - Levying a special tax for the property tax year 2001-2002 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 26, City of Fresno, California

**Action Taken:**

**10:15 A.M.** **HEARING** to consider Rezoning Application No. R-00-043 and environmental findings, filed by Theodore Markarian, for 0.32 acre of property located at 208 E. Shields Avenue

**Action Taken:**

a. Consider and adopt Categorical Exemption for Environmental Assessment No. R-00-43

**Action Taken:**

b. **BILL** - Amending the Official Zone Map to rezone from C-1 zone district to the C-P zone district

**Action Taken:**

**10:30 A.M.** Consider a request for street address change, 322 E. Herndon Avenue

**Action Taken:**

**10:45 A.M.** **HEARING** to consider Rezoning Application No. R-00-038 and environmental findings, filed by Trend Homes, Inc., for 8.06 acres of property located at the southwest corner of W. Bullard Avenue and N. Carnegie Avenue

**Action Taken:**

a. Consider and adopt the Negative Declaration for Environmental Assessment No. R-00-38

**Action Taken:**

b. **BILL** - Amending the Official Zone Map to rezone from AE-5/UGM zone district to the C-M/BA-15/UGM zone district

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**11:00 A.M.** Report by Macias Consulting Group, Inc. regarding the Request for Proposal (RFP) for auditing service - Councilmember Boyajian

**Action Taken:**

- a. Request City Manager to identify funding source and return with enabling documents

**Action Taken:**

**2:00 P.M.#1** **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

**2:00 P.M.#2** **CLOSED SESSION**

**A. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6**

**City Negotiator(s):** Jorge Aguiniga, Andrew T. Souza and Matthew Gargiulo

**Employee Organization(s):**

1. International Association of Firefighters, Local 753 Non-Management Fire (IAFF)
2. International Association of Firefighters, Local 753 Fire Management (IAFF)

**Action Taken:**

**2:00 P.M.#2** **CLOSED SESSION CONTINUED**

**B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)**

1. **Case Name:** Neal Manha v. City of Fresno, et al.

**Action Taken:**

**C. CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.9, Subdivision (c)**

1. **Case Name:** City v. City of Clovis, LAFCO, and County of Fresno

**Action Taken:**

**D. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Government Code Section 54956.9, Subdivision (b)**

**Significant Exposure to Litigation:**

1. **Case Name:** Claim of Chanthvy Komvongsa
2. **Case Name:** Claim of Douangmaly Komvongsa
3. **Case Name:** Claim of Manichanh Komvongsa

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A.

**GENERAL CONSENT CALENDAR**

**(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)**

1. **RESOLUTION** - Dededicating certain City-owned property for public street purposes, property located at the southwest corner of Jensen and West Avenues  
**Action Taken:**
2. \* **RESOLUTION** - 76<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$249,900 of California Law Enforcement Equipment Purchase (CLEEP) Program grant funds for the purchase of high technology equipment (*Requires 5 affirmative votes*)  
**Action Taken:**
3. Award a contract to furnish and install wellsite improvements at Pump Station 203A  
**Action Taken:**
4. **RESOLUTION** - Approving reallocation of \$300,000 for a street project on Friant Road from Audubon Avenue to Shepherd Avenue  
**Action Taken:**
5. Authorization to enter into a short-term lease agreement for temporary relocation of Fresno Area Express' Manchester customer service office  
**Action Taken:**
6. Approve extension of appointment of Randall Carlton as Controller until a successor is named  
**Action Taken:**
7. **RESOLUTION** - Approving Amendment No. 1 to Federal Aviation Administration (FAA) Grant Fresno Yosemite International Airport (AIP) Improvement Program Project No. 3-06-0087-27, and authorizing the Director of Transportation to execute the Grant Amendment No. 1 subject to prior approval by City Attorney  
**Action Taken:**
8. \* **RESOLUTION** - 88<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$84,000 to fund the proposed reorganization of the Mayor and City Manager Departments (*Requires 5 affirmative votes*)  
**Action Taken:**
  - a. \* **RESOLUTION** - 12<sup>th</sup> amendment to PAR No. 2000-184 adding positions for the reorganization of the Mayor and City Manager Departments  
**Action Taken:**
  - b. \* **RESOLUTION** - 9<sup>th</sup> amendment to Salary Resolution No. 2000-186 adding and converting positions for the reorganization of the Mayor and City Manager Departments  
**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

9. \* **RESOLUTION** - 13<sup>th</sup> amendment to PAR No. 2000-184 adding seven (7) Council Assistant positions  
*Action Taken:*  
a. \* **RESOLUTION** - 10<sup>th</sup> amendment to Salary Resolution No. 2000-186 adding seven (7) Council Assistant Positions  
*Action Taken:*

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

1. \* **BILL - (*For introduction*)** - Amending Section 3-109 of the Fresno Municipal Code relating to contracts of services, work, equipment, materials and supplies; repealing Resolution No. 94-125 related to the authorization of the contracting for professional consulting services by certain officials and establishment of a policy regarding the presentation of professional consulting service contracts to the Council for its approval (*Alternative 1 or 2*)  
*Action Taken:*

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Selection of Council representative to the Transportation Authority (two-year term)  
*Action Taken:*

4. **CITY ATTORNEY**

- A. General workshop regarding City Attorney's Municipal Law Guidebook for Elected Officials and setting workshops on specific topics  
*Action Taken:*

5. **CITY COUNCIL**

- A. Proposed reappointment of Dr. Sudarshan Kapoor to the Human Relations Commission (*For introduction*) - Councilmember Duncan  
*Action Taken:*
- B. Proposed appointment of Paul Bernard Smith to the Tower District Specific Plan Implementation Committee; appointment of Gail Gaston to the Human Relations Commission as representative from District 3; and appointment of Marlin Keelings to the Southwest Advisory Committee (*For introduction*) - Acting President Ronquillo  
*Action Taken:*

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5. **CITY COUNCIL ITEMS CONTINUED**

- C. \* **RESOLUTION** - 86<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$30,000 for the duties of the Council President and Executive Analyst to the District 7 budget from the Council Support Budget (*Requires 5 affirmative votes*) - Council President Perea  
**Action Taken:**
1. \* **RESOLUTION** - 11<sup>th</sup> amendment to PAR No. 2000-183 moving the position of Executive Analyst to the Council from District 1 to District 7  
**Action Taken:**
- D. **RESOLUTION** - Approving the formation of Woodward Park Community Plan Review and Implementation Committee - Councilmember Duncan  
**Action Taken:**
1. Proposed appointments of Jonathan Richter, Ann Alvarez, Teresa M. Patterson, Dan O'Brien and Lee Brand to the Woodward Park Community Plan Review and Implementation Committee (*For introduction*)  
**Action Taken:**
- E. Council President to appoint Ad Hoc Budget Committee - Council President Perea  
**Action Taken:**
- F. Request City Manager to direct staff to study joint venture between the City and Sphere Enterprises regarding a proposed retail/family sports complex located at Cedar Avenue and Dakota Avenue - Councilmember Castillo  
**Action Taken:**
- G. Request Council to have the Council President keep the current Executive Analyst in that position - Councilmember Boyajian  
**Action Taken:**
- H. \* **RESOLUTION** - 87<sup>th</sup> amendment to AAR No. 2000-183 appropriating \$1,000 of District 5's general fund infrastructure budget to fund the restoration of the American Legion Post 509 destroyed by fire - Councilmember Quintero (*Requires 5 affirmative votes*)  
**Action Taken:**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***



<b>SCHEDULED COUNCIL HEARINGS AND MATTERS</b>
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**Jan. 16 - NO MEETING - MARTIN LUTHER KING HOLIDAY**

**Jan. 23 - 10:00 A.M.#1 CONTINUED HEARING** re: Rezone Appl. No. R-00-05, filed by Scott Ellis, Jr.

**Jan. 23 - 10:00 A.M.#2 HEARING** re: P.A. No. A-99-35 updating the Mineral Resource Policies in the General Plan Conservation Element

**Jan. 23 - 10:10 A.M. CONTINUED HEARING** re: Rezone Appl. No. R-00-41, filed by James T. O'Dea, 255 W. Bullard

**Jan. 30 - 10:00 A.M. HEARING** re: Rezone Application No. R-00-34, filed by Majestic Development

**Jan. 30 - 10:15 A.M. HEARING** re Rezone Appl. No. R-00-048, filed by Fresno Community Hospital

**Feb. 6 - 10:00 A.M. HEARING** re: Rezone Appl. No. R-00-047, filed by Vineyard Christian Fellowship of Clovis

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***